

REMARKS

The following remarks are being submitted as a full and complete response to the Office Action dated December 24, 2008. In view of the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-49 stand for consideration in this application.

The First 35 U.S.C. §103(a) Rejection

Claims 1-3, 6, and 32-37 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aravamudan et al. (U.S. Pat. No. 6,301,609 B1) in view of Feather et al. (U.S. Pub. No. 2004/0139195 A1). Applicants respectfully traverse this rejection for the reasons set forth below.

Claim 1

A network system as recited in claim 1 comprises: a session control server controlling a communication session created between at least two terminal devices; a presence server managing status information on one of said at least two terminal devices; and a communication line connecting said session control server, said presence server, and said at least two terminal devices. Said session control server comprises 1) means for monitoring the communication session created between said at least two terminal devices by analyzing a packet communicated between said at least two terminal devices; 2) means for detecting based on a result of monitoring the communication session, a change in status information on a user of said one of said at least two terminal devices or on said one of said at least two terminal devices; and 3) means for notifying said presence server of an update request for the status information when the change in the status information is detected.

In contrast, Aravamuda merely shows that during the time period in which a user is maintained as online by a Communication Services Platform (CSP) database, an instant message server 130 periodically polls the client premises equipment (CPE) such as a client's personal computer, wired telephone, screen phone, wireless cellular phone to determine whether a network session has been terminated (See col. 8, lines 10-14 and Fig. 7). In other words, the instant message server merely polls the CPE to detect whether the CPE is in

communication operation or not. As admitted by the Examiner, Aravamudan fails to show monitoring the communication session created between said at least two terminal devices by analyzing a packet communicated between said at least two terminal devices and detecting based on a result of monitoring the communication session, a change in status information on a user of said one of said at least two terminal devices or on said one of said at least two terminal devices.

The secondary reference of Feather merely shows that the device monitor 100 issues commands to the monitored device 118 to capture status and some data from the device 118 (See paragraph [0028]). However, Feather does not show or suggest that the device monitor 100 monitors a communication session between different terminal devices (See Fig. 1).

Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 1 by modifying Aravamudan in view of Feather. Accordingly, claim 1 is not obvious in view of all the prior art cited.

Claim 2

Claim 2 has substantially the same features as those of claim 1. As such, the arguments set forth above are equally applicable here. Claim 1 being allowable, claim 2 must also be allowable.

Claims 3, 6, 32-37

As to dependent claims 3, 6, and 32-37, the arguments set forth above with respect to independent claims 1 and 2 are equally applicable here. The corresponding base claim being allowable, claims 3, 6, and 32-37 must also be allowable.

The Second 35 U.S.C. §103(a) Rejection

Claims 4-5 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aravamudan in view of Feather, and further in view of Endress et al. (U.S. Pat. No. 6,895,554 B2). Applicants respectfully traverse this rejection for the reasons set forth below.

As set forth above, Aravamudan in view of Feather fails to teach all the elements recited in claim 1, from which claims 4-5 depend. The tertiary reference of Endress fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Aravamudan in view of Feather.

Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 1, from which claims 4-5 depend. Accordingly, claims 4-5 are not obvious in view of all the prior art cited.

The Third 35 U.S.C. §103(a) Rejection

Claims 7 and 23-31 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aravamudan in view of Kammerer (U.S. Pub. No. 2004/0205175 A1). Applicants respectfully traverse this rejection for the reasons set forth below.

Claims 7, 23, 24, 28, and 29 have substantially the same features as those of claim 1. As set forth above, Aravamudan fails to teach all the elements recited in claim 1. The secondary reference of Kammerer fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Aravamudan. Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claims 7, 23, 24, 28, and 29 and dependent claims 25-27 and 30-31.

Accordingly, claims 7, 23, 24, 28, and 29 and dependent claims 25-27 and 30-31 are not obvious in view of all the prior art cited.

The Fourth 35 U.S.C. §103(a) Rejection

Claims 8-22 and 38-49 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aravamudan in view of Feather, and further in view of Kammerer. Applicants respectfully traverse this rejection for the reasons set forth below.

As set forth above, Aravamudan in view of Feather fails to teach all the elements recited in claims 7, 24, and 28. The tertiary reference of Kammerer fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Aravamudan in view of Feather. Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claims 7, 24, and 28 and dependent claims 38-40 and 44-49.

Claim 8 has substantially the same features as those of claim 1. As set forth above, Aravamudan in view of Feather fails to teach all the elements recited in claim 1. The tertiary reference of Kammerer fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Aravamudan in view of Feather. Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 8 and its dependent claims 9-22 and 41-43.

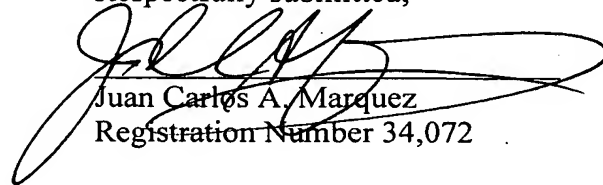
Accordingly, claims 8-22 and 38-49 are not obvious in view of all the prior art cited.

Conclusion

In light of the above Remarks, Applicants respectfully request early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Favorable reconsideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,



Juan Carlos A. Marquez
Registration Number 34,072

REED SMITH LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4200

May 22, 2009
JCM/YOM